

Waste Compliance and Mitigation Program Staff Report
Minor Waste Tire Storage Facility Permit Renewal for Wally's Tire and Wheel
TPID No. 1002817
September 29, 2010

Background Information, Analysis, and Findings:

This report was developed in response to an application received from the operator of Wally's Tire and Wheel, located at 1020 N. Madera Avenue in Kerman (Fresno County) for the renewal of a Minor Waste Tire Facility Permit. Wally's Tire and Wheel has been in operation as a tire dealership since the early 1970's and has been cutting tires for disposal for over 20 years. The facility operates on a 0.75 acre parcel and accepts waste tires from their customers and processes them into shreds for disposal at American Avenue Landfill in Fresno County

Waste tire facility permits expire 5 years after the date of issuance, renewal, or most recent revision, pursuant to 14 CCR 18426(a). Waste tire facility operators are required to renew their permits by submitting a complete waste tire facility permit application to CalRecycle at least 395 days prior to the expiration of the existing permit.

Wally's Tire and Wheel was sent a letter on January 14, 2010, notifying them that their minor waste tire permit was to expire on September 26, 2010. Staff of the Waste Compliance and Permitting and Local Enforcement Agency Support (PLEAS) Division received the application for a Minor Waste Tire Facility Permit on March 15, 2010. The operator did not include recent fire or vector control department documentation. The fire authority documentation was received April 20, 2010 and the vector control approval on May 11, 2010. On May 17, 2010, PLEAS staff accepted the application as complete and correct. CalRecycle is required to act by November 13, 2010.

Findings:

Staff recommends approval of the issuance of the proposed permit. All of the required submittals and findings required by Title 14, Section 18431 have been provided and made. Staff has determined that CEQA requirements have been met to support concurrence. The findings that are required to be made by The Department when reaching a determination are summarized in the following table. The documents on which staff's findings are based are permanently maintained in the facility files maintained by the Waste Compliance and Mitigation Program.

The following table summarizes the staff's findings relative to the permit application:

	Findings	
California Environmental Quality Act (CEQA)	Staff of PLEAS finds the renewal of the Minor WTFP does not require new CEQA documentation (see below for details).	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Compliance with Tire Storage Standards, 14 CCR, Sections 17350-17356	Staff of the Compliance Evaluation and Enforcement Division conducted an inspection of the facility on August 1, 2010. See additional compliance information below.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

18431 (a)(b)(c)(d) Application Forms (500-503)	All application forms were accepted by PLEAS Division staff as complete on May 17, 2010.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Local Requirements 14 CCR, Section 18431(h)	<p><i>Local Vector Control:</i> On May 11, 2010, the Fresno County Mosquito Abatement Department accepted and approved the vector control practices in a letter signed by Mr. Tim Phillips, Manager.</p> <p><i>Local Fire Authority:</i> On April 19, 2010, the Fresno Fire/North Central Fire Protection Authority indicated that all required Fire approvals had been granted to Wally's Tire and Wheel Service, located at 1020 N. Madera in Fresno, CA.</p>	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
Reviewed by: CalRecycle Legal Office	October 19, 2010	
Compliance Evaluation and Enforcement Division	August 1, 2010	

Compliance History:

A pre-permit inspection for this existing Minor Waste Tire Facility was conducted on August 1, 2010 by staff of the Compliance Enforcement and Evaluation Division. There were no violations noted during the inspection.

The compliance history for Wally's Tire and Wheel shows that there were no violations from August 10, 2004, to September 17, 2009.

Environmental Analysis:

Under the California Environmental Quality Act (CEQA), the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental effects of the proposed Minor Waste Tire Facility Permit before the Department approves it.

This is a renewal of an existing Minor Waste Tire Facility Permit. There are no changes in design or operations. WCMP staff has determined through record review and inspections that there are no new significant environmental effects or an increase in the severity of previously identified less than significant environmental effects. This review did result in a determination that the acreage noted on the previously issued permit was incorrect. The previous permit noted 0.5 acres. The actual acreage addressed in previous CEQA documents was 0.75 acres. The new permit corrects this typographical error. No new CEQA documentation is required to support the issuance of the permit. The existing Minor Waste Tire Facility Permit is also consistent with zoning and the Fresno County General Plan.

Staff recommends that the Department, acting as a Lead Agency under CEQA, in that there are no grounds under CEQA for the Department to prepare a subsequent or supplemental

environmental documents for its consideration of the proposed renewal of this existing Minor Waste Tire Facility Permit.

Department staff further recommends that since this is an existing Minor Waste Tire Facility and that there are no changes in design or operations, no additional CEQA analysis is necessary for those project activities which are within the Department's expertise and authority, or which are required to be carried out or approved by the Department.

The administrative record for the decision to be made by the Department includes the administrative record before the Department, the proposed Minor Waste Tire Facility Permit and all of its components and supporting documentation, this staff report, and other documents and materials utilized by the Department in reaching its decision to approve or disapprove, the proposed Minor Waste Tire Facility Permit. The custodian of the Department's administrative record is Dona Sturgess, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Local Issues:

According to the 2000 Census data for the city of Kerman and the surrounding area (Census tract 40), the surrounding population is 44.4% white, 0.3% black, 1.9% American Indian, 8.3% Asian, 40.5% some other race and 4.6% are two or more races. 63% of the population is identified as Hispanic or Latino. The median household income of the area is \$41,994 and 9.2% of families were below the poverty level.

A review of the public process indicates that environmental justice issues were not identified by the surrounding community and is consistent with Government Code Section 65040.12, as there has been fair treatment of people of all races, cultures, and incomes with respect to the proposed action being recommended above.

Public Comments:

No public comments have been received by Department staff. The Department provided an opportunity for public comment during the WCMP workshop on September 13, 2010 and October 11, 2010.

Attachment: Minor Waste Tire Facility Permit

